IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17492 of 2004

Between:

1 S. Nagaraju S/o Naganna
R/o H. No. 8-3-228/286, Rahmat Nagar, Yousafguda, Hyderabad
2 S. Srinivas S/o Naganna
R/o H. No. 8-3-228/286, Rahmat Nagar, Yousafguda, Hyderabad

..... PETITIONERS

AND

1 The Deputy Commissioner of Police West Zone, Hyderabad
2 The Station House Officer, Jubilee Hills, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or direction particularly in the nature of Mandamus or any other appropriate Writ, declaring the action of the respondents in interfering with the liberty of the petitioners and harass the petitioners, as illegal, void and in violation of Article 21 of the Constitution of India.

Counsel for the Petitioner : MR. V.R.AVULA

Counsel for the Respondents : GP FOR HOME

The Court made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.17492 OF 2004

ORAL ORDER :

The petitioners seek a Writ of Mandamus declaring the alleged action of the respondents in interfering with the personal liberty of the petitioners and harassing them as arbitrary and illegal and in violation of Article 21 of the Constitution of India.

It is alleged that the respondents 1 and 2 have been visiting the house of the petitioners and questioning them about the whereabouts of one Madireddy Anjaneyulu. It is stated that after 1996 they are not aware of the whereabouts of the said Anjaneyulu and therefore the action of the respondents in harassing the

petitioners is arbitrary and illegal.

Having heard the learned Counsel for the petitioners and the learned Government Pleader for Home appearing for the respondents and on a perusal of the material on record, the writ petition is disposed of with a direction to the respondents not to interfere with the personal liberty of the petitioners without following due process of law. However, this shall not preclude the respondents to take the necessary steps in accordance with law if the presence of the petitioners is required in connection with any crime or investigation into any case on the file of the 2nd respondent – Station House Officer, Jubilee Hills, Hyderabad.

Accordingly, the Writ Petition is disposed of. No costs.

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11th November, 2004.

gbs

To

1 The Deputy Commissioner of Police West Zone, Hyderabad
2 The Station House Officer, Jubilee Hills, Hyderabad

3.2CCs to G.P. for Home, High Court of AP Bldgs, Hyderabad (OUT).

4.2CD copies